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[13265/7]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James A. MOONEY et al.
Serial No.: 10/698,495
Filed: October 31, 2003
For: VIBRATORY SCREENING MACHINE AND VIBRATORY
SCREEN AND SCREEN TENSIONING STRUCTURE
Examiner: Matthew J. KOHNER
Art Unit: 3653
Confirmation No.: 9594

Address to:
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Date: 4/26/05 Reg. No. 48,912

Signature: John M. Vereb

John M. Vereb

TRANSMITTAL

S I R:

Please find a Response to Restriction Requirement transmitted herewith for filing in the above-identified patent application.

No fee is believed to be required. However, if any fee is required, please use Deposit Account No. **11-0600**. A duplicate of this transmittal letter is enclosed for that purpose.

Respectfully submitted,

Dated: 4/26/05

By: John M. Vereb

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RESPONSE TO RESTRICTION REQUIREMENT

SIR:

This paper addresses the Office Action dated March 31, 2004.

REMARKS

The Office Action of March 31, 2004 states that the present application includes claims directed to the following inventions:

Group 1, claims 1 to 20, drawn to a vibratory screen-tensioning member, classified in class 209, subclass 404.

Group 2, claims 21 to 33 and 39 to 41, drawn to a vibratory screening machine, classified in class 209, subclass 352.

Group 3, claims 34 to 38, drawn to a vibratory screen, classified in class 209, subclass 392.

The Office Action states that groups II and I are related as combination and subcombination and that inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations. The Office Action states that the combination as claimed does not require the particulars of the subcombination as claimed because the combination is directed to a vibratory screening machine which requires screen engaging members, but does not require a